



01-15-04

1 RCE
2878

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

John Barry FITZGERALD

Application No: 09/965,072

Filed: September 27, 2001

For: SCALE MONITOR

) Customer No.: 37003

) Group Art Unit: 2878

) Examiner: Otilia Gabor

) Docket No.: US57.0373

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL
UNDER 37 CFR §1.114**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 CFR §1.114 of the above-identified application.

1. Submission required under 37 CFR §1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other:

01/20/2004 EFLORES 00000086 190615 09965072

01 FC:1801 770.00 DA

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)

b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments **Deposit Account No. 19-0615**

i.. ☒ RCE fee of \$770.00 required under 37 CFR §1.17(e)

ii. ☐ Extension of time fee for _____ months of \$_____ (37 CFR §1.136 and §1.17)

iii. ☐ Other _____

Respectfully submitted,



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Registration No. 37,088

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Date: January 14, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/965,072
Applicant : Fitzgerald, John Barry
Filed : 27 September 2001
Title : SCALE MONITOR
TC/A.U. : 2878
Examiner : Gabor, Otilia
Docket N° : 57.0373 US NP

PRELIMINARY AMENDMENT

Honorable Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination of the RCE application, please amend the above-identified application and enter the remarks as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.